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Remarks:

Regarding the rejection of claims 4-8, 14 and 18 under 35 USC 112, 2nd paragraph:
The applicant's amendments to the claims presented in this paper are believed to address and overcome the instant grounds of rejection.

Regarding the rejection of claims 1-15, 17-18 under 35 USC 102(e) in view of US 6727215 to Roberts et al. (hereinafter "Roberts"):

The applicant respectfully traverses the Examiner's rejection of the foregoing claims in view of the Roberts reference. The amendments to the present claims are believed to distinguish over the prior art Roberts reference and to render the claims novel thereover.

Turning to the Roberts reference, Roberts provides a construction only wherein a one or more sachets containing a composition are wholly enclosed by a larger sachet containing a different composition, such that (as the Examiner has eloquently and accurately stated ..) "Pouch B is inside the first pouch, hence, 100% of the surface area of Pouch B [...] is enclosed by the first pouch." The current claims are not directed to this construction as when the sealing member comprising the second container containing the second composition is used to seal the first container, part of the sealing member is in direct contact with the contents of the first container, while other parts are exterior of the first container and are not in contact with the contents of the first container, viz., the first composition. Thus, the presently claimed construction is distinguishable over the "Pouch B ... is wholly enclosed by the first pouch." of Roberts, and should be considered novel over that prior art document.

Regarding the rejection of claims 1-7, 9-18 under 35 USC 103(a) in view of GB 2358382 to Edwards et al. (hereinafter simply "Edwards"):

The applicant respectfully traverses the Examiner's rejection of the foregoing claims in view of the Edwards reference. The presently amended claims are believed to distinguish over the prior art Edwards reference and should be considered as nonobvious thereover.

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The Examiner notes in the *Office Action* that "Edwards teaches a rigid, water-soluble container made of an injection molded polymer [...] which encases a composition, for example, a fabric care, surface care or dishwashing composition. [...] Because the container are rigid, it is easily possible to introduce two or more components to mutually incompatible ingredients. [...] In such a situation a dividing wall or walls of the compartments preferably terminate at the top of the container in the same plane as the top edge of the side walls, to that when the receptacle part is closed by the closure part the contents of the compositions cannot mix."

As the Examiner appears to recognize in the above passage summarizing the Edwards prior art articles, Edward's provides rigid, injection molded articles which are easily formed into containers having a plurality of compartments separated by one or more dividing walls, which compartments may be filled with different materials, and which plurality of compartments may be easily sealed by the use of a closure as tops of the dividing wall or walls, and the edge of the sidewalls of the receptacle part all terminate in the same plane. Thus the closure is planar in construction, and acts as a 'lid' for sealing the one or more compartments in such a container. That being said it is the applicant's position that the Edwards document does not render the subject matter of the current claims as being obvious.

The Examiner is respectfully reminded that the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. See, *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); *In re Rouffet*, 149 F.3d 1350, 1355-56 [47 USPQ2d 1453] (Fed. Cir. 1998). It is not believed that these grounds of rejection are met in the rejection lodged by the Examiner, especially in view of the presently amended claims.

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The applicant is of the view that a skilled artisan reviewing the Edwards reference would immediately appreciate the excellent technical benefits provided by such rigid, injection molded containers which may be readily and reliably fabricated to include one or more interior dividing walls which can be used as a barrier to different compositions. Such would undermine any need to consider any modification to the Edwards injection molded articles which highly effective and reliable. Further, a skilled artisan would recognize that proper sealing of the Edwards injection molded articles would require a generally planar film which would need to be essentially flat so that sealing of the one or more compartments of the Edwards article, particularly wherein two or more compartments would be present divided by an interior dividing wall or walls are present. As Edwards notes, the top edges of such dividing walls or walls, and the edge of the sidewalls of the receptacle part all terminate in the same plane. Thus there is a strong disincentive, if not a prohibition to use anything other than a flat, planar lid construction which can accurately bonded or otherwise sealed to the top edges of such dividing walls or walls, and the edge of the sidewalls of the receptacle. Such would be recognized by the skilled artisan, and dispel any consideration as to modification of the "lid" to be anything other than a flat planar material, viz., a film. Such would thus not lead or even remotely suggest for that matter that any other construction other than a flat planar material would be workable.

In view of the foregoing it is now clear to understand the surprising success of the present invention which – as presently claimed – provides a "sealing member comprising a second compartment containing a second composition which sealing member seals the first composition in the at least first compartment, " which would not expected to be workable from the Edwards injection molded articles. The said "sealing member" of the presently claimed invention may or may not be planar, but in preferred embodiments needs only to provide a seal at the periphery of the first compartment so to seal the first composition within, but the said "sealing member" can essentially be of any shape as long as this requirement is fulfilled.

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In view of the foregoing, reconsideration of the propriety of the outstanding rejection in view of the Edwards reference, and withdrawal of the rejection is respectfully requested.

Regarding the rejection of claim 16 under 35 USC 103(a) in view of US 6727215 to Roberts et al., further in view of GB 2358382 to Edwards et al.:

The applicant respectfully traverses the Examiner's rejection of the foregoing claims in view of the combined Roberts and Edwards references. The presently amended claims are believed to distinguish over the prior art Roberts and Edwards references and should be considered as nonobvious thereover.

For the sake of brevity, the applicant herein repeats and incorporates by reference the prior remarks made with respect to the Roberts and Edwards references.

With respect to the specific rejection of claim 16, as claim 16 depends from presently amended claim 1 presented in this paper, it is contended that nothing in either the Edwards or Roberts reference suggests that the second composition is a compressed solid which is enclosed by a film or coating of a water-soluble polymer, and which film or water soluble polymer can be used to both define the second compartment and be a sealing member for the first compartment.

Accordingly reconsideration of the propriety of the rejection and its withdrawal is solicited.

Regarding the rejection of claim 8 under 35 USC 103(a) in view of US 6727215 to Roberts et al., further in view of GB 2358382 to Edwards et al.:

The applicant respectfully traverses the Examiner's rejection of the foregoing claims in view of the combined Roberts and Edwards references. The presently amended claims are believed to distinguish over the prior art Roberts and Edwards references and should be considered as nonobvious thereover.

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For the sake of brevity, the applicant herein repeats and incorporates by reference the prior remarks made with respect to the Roberts and Edwards references.

With regard to the specific rejection of claim 8, as the instant claim is a dependent claim which relies on claim 1 which is believed to be patentable over the prior art of record, logically claim 8 which incorporates the limitations of claim 1 should properly be considered both nonobvious and patentable over the Roberts and Edwards references.

Accordingly reconsideration of the propriety of the rejection and its withdrawal is solicited.

Should the Examiner in charge of this application believe that telephonic communication with the undersigned would meaningfully advance the prosecution of this application, they are invited to call the undersigned at their earliest convenience.

Early issuance of a *Notice of Allowability* is requested.

PETITION FOR A THREE-MONTH EXTENSION OF TIME

The applicants respectfully petition for a three-month extension of time in order to permit for the timely entry of this response. The Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263 with respect to this petition.

CONDITIONAL AUTHORIZATION FOR FEES

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.

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Respectfully Submitted;

SEP 21 2007

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21 Sept 2007

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